

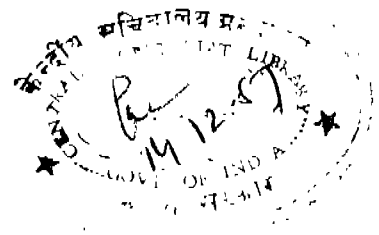


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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

प्राधिकरण से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

अम मंत्रालय

नई दिल्ली, 26 अक्टूबर, 1987

अधिसूचना

का०आ० 940 (अ)--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार ने नियोजकों, जिनका प्रतिनिधित्व सीमेंट मैन्युफैक्चरर्स एसोसियेशन, बम्बई करती है और उनके कर्मकारों, जिनका प्रतिनिधित्व इंडियन नेशनल सीमेंट एंड एलाइड वर्कर्स फ़ेडरेशन, बम्बई करती है, के बीच दिनांक 9 मिनम्बर, 1986 के माध्यस्थता पंचाट को अम मंत्रालय के दिनांक 8 अक्टूबर, 1986 के आदेश संख्या एस-29013/5/86-डी-3(बी) के तहत भारत के राजपत्र में प्रकाशित किया था;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 10-क (3) के अधीन उक्त माध्यस्थता करार के संबंध में अधिसूचना अम मंत्रालय की दिनांक 14 जुलाई, 1987 की अधिसूचना संख्या एस-29011/10-86-डी-3 (बी) के तहत जारी की थी;

और नियोजकों तथा कर्मकारों के उक्त प्रतिनिधियों ने, लिखित करार द्वारा माध्यस्थता के गठन में कतिपय परिवर्तन किए हैं और उक्त करार की एक प्रति केन्द्रीय सरकार को भेजी है;

अतः, अब, केन्द्रीय सरकार उक्त करार को, जैसा अनुबन्ध में दिखाया गया है, सभी संबंधित पक्षों की सूचना के लिए प्रकाशित करती है।

[सं० एस-29011/10/86-डी-3(बी)]

एच० चोप, संयुक्त सचिव

MINISTRY OF LABOUR

New Delhi, the 26th October, 1987

NOTIFICATION

S.O. 940(E).—Whereas, in pursuance of the provisions of sub-section (3) of Section 10-A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government had published the arbitration agreement dated 9th September, 1986 between the employers represented by the Cement Manufacturers' Association, Bombay and their workmen represented

by the Indian National Cement and Allied Workers' Federation, Bombay in the Gazette of India vide Ministry of Labour Order No. L-39/13/5/86-D.III (B), dated 8th October, 1986;

And whereas, the Central Government had also issued a notification under Section 10-A (3A) of the said Act in connection with the said arbitration agreement, vide Ministry of Labour Notification No. L-29011/10/86-D.III (B), dated 14th July, 1987;

And whereas, the said representatives of the employers and the workmen have, by a written agreement, effected a certain change in the composition of the arbitrators and have forwarded, to the Central Government, a copy of the said agreement;

Now, therefore, the Central Government hereby publishes the said agreement, as shown in the Annexure, for the information of all concerned.

[No. L-29011/10/86-D.III (B)]

H. GHOSH, Jt. Secy.

ANNEXURE

AGREEMENT

BETWEEN

Name of the Parties :

Representing employers—Cement Manufacturers' Association, Express Building, Opp. Churchgate Railway Station, Bombay-400020.

Representing workmen—Indian National Cement Workers' Federation, Mazdoor Karyalaya, Congress House, Bombay-400004.

Whereas Cement Manufacturers' Association (hereinafter referred to as "CMA") and the Indian National Cement Workers' Federation (hereinafter referred to as "The Federation") entered into Arbitration Agreement dated 9th September, 1986 under the provisions of Section 10-A of the Industrial Disputes Act and referred their respective Charters of Demands to the Board of Arbitration comprising Shri G. Ramanujam, nominated by the Federation and Shri A. L. Kapur, nominated by CMA;

And whereas the said Arbitration Agreement was published by the Central Government in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 18th October, 1986 at page 4218 to 4224.

And whereas the Central Government also issued Notification No. L-29011/10/86-D.III (B) dated 14th July, 1987 under Section 10-A(3A) of the Industrial Disputes Act which was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii) at pages 1 and 2;

And whereas Shri A. L. Kapur, one of the Arbitrators who was the Nominee of the CMA, resigned as an Arbitrator on 21-8-1987 and the CMA thereupon nominated Shri P. S. Malvankar, retired Justice of Bombay High Court as its Nominee vice Shri A. L. Kapur by its letter dated 5th September, 1987 addressed to the Union Labour Ministry;

And whereas on being informed of the CMA having nominated a retired judicial person as its Arbitrator vice Shri A. L. Kapur, Shri G. Ramanujam also resigned on 5th September, 1987, as an Arbitrator, and the Federation by its letter dated 7th September, 1987 gave a strike notice to the CMA calling a strike of cement workers from the midnight of 12th October, 1987;

And whereas as a result of the intervention of good offices used by the Union Labour Minister, Industry and Labour Secretaries and other Government officials, the CMA agreed to nominate an Arbitrator from within the Cement Industry as desired by the Federation and finally nominated Shri M. H. Dalmia, President, CMA, as its Arbitrator who is acceptable to the Federation and whereafter Shri G. Ramanujam also withdrew his resignation as an Arbitrator.

Now therefore in consideration of the above developments the parties agree to modify the Terms of Arbitration Agreement dated 9th September, 1986 as under :

TERMS OF AGREEMENT

It is hereby agreed between the parties to accept the following Arbitrators for deciding the disputes referred to the Board of Arbitration vide Arbitration Agreement dated 9th September, 1986 :—

(1) Shri G. Ramanujam,
2/44, Royapettah High Road,
MADRAS-600014.

(2) Shri M. H. Dalmia,
C/o Orissa Cement Ltd.,
B-45/47, Connaught Place,
NEW DELHI-110001.

The parties agree to abide by the other Terms and Conditions of the Arbitration Agreement dated 9th September, 1986.

The parties request the Central Government that a Notification be issued to publish this Arbitration Agreement for modification of the original Arbitration Agreement dated 9th September, 1986 to the extent indicated above.

Dated at Bombay, this 16th day of October, 1987.

Representing employers : Representing workmen

For and on behalf of the For and on behalf of the
Cement Manufacturers' Indian National Cement
Association. Workers' Federation.

Sd.-

(S.M. CHAKRAVARTY)
Secretary General

Sd.-

(H. N. TRIVEDI)
President

Witnesses :

Witnesses :

(1) Sd.- (G. L. Govil) (1) Sd.- (Illegible)
(2) Sd.- (G.L. Padaliya) (2) R. P. Mishra

CEMENT MANUFACTURERS' ASSOCIATION

Consent of the new Arbitrator, Shri M. H. Dalmia
appointed vice Shri A. L. Kapur, former Arbitrator.

October, 13, 1987

Shri M. N. Mehta,
Vice-President,
Cement Manufacturers' Association,
Vishnu Kiran Chamber,
2142—47, Gurudwara Road,
Opp. Karol Bagh Post Office,
Karol Bagh,
New Delhi-110005.

Dear Sir,

Pursuant to the decision of the Managing Committee of the Association at its meeting held on 10th October, 1987 at Delhi, I hereby agree to work as an Arbitrator on the Board of Arbitration for Cement Industry for settlement of the matters in dispute between the employees and employers of the Cement Industry covered by the Arbitration Agreement between the Cement Manufacturer's Association and Indian National Cement Workers Federation signed in Bombay on 9th September, 1986.

Yours faithfully,

Sd.|-

(M. H. DALMIA)

